

IN THE UNITED STATES PATENT OFFICE

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Applicant(s): Shi-You Ding et al.)
Application No. 09/917,376) Examiner: Swope, Sheridan
Filed July 28, 2001) Group Art Unit: 1652
Title Thermal Tolerant Avicelase from) Atty. Dkt. No. NREL 01-36
Acidothermus cellulolyticus)

AMENDMENT AND RESPONSE TO OFFICE ACTION

Assistant Commissioner for Patents
Box Non-Fee Amendment
Washington, D.C. 20231

Dear Sir:

The present paper is being filed in response to the Office Action mailed April 9, 2002. Applicant also submits a Petition and Fee for Extension of Time Under 37 CFR §§ 1.136 and 1.17(a).

AMENDMENT

In the claims:

✓ Please cancel claims 16-27, 37-42 and 47-65 without prejudice.

RESPONSE

The present paper is submitted as a response to the Examiner's restriction requirement in the present application. The Examiner is of the opinion that the claims as filed in the present application encompass several different inventions. These different inventions are characterized as follows:

Invention 1: Claims 1-15, 28-36 and 43 - Compositions comprising the AviIII protein (class 435, subclass 201);

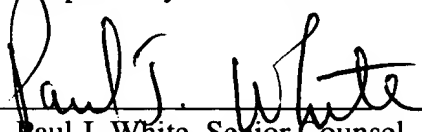
Invention 2: Claims 44-46 - Antibodies to the AviIII protein (class 530, subclass 387.9);
Invention 3: Claims 16-27, 37-42 and 47-55 - DNA, primers, probes, host cells and method of producing AviIII protein (class 435, subclass 201);
Invention 4: Claim 56 - Method for detecting AviIII polynucleotide (class 435, subclass 201);
Invention 5 - Claims 57-61 - Method of analyzing AviIII activity (class 435, subclass 18);
Invention 6 - Claims 62-65 - Method for reducing the cellulose content in a starting material (class 435, subclass 277).

Applicants respectfully traverse the Examiner's characterization of the claims and hereby elects Invention I, claims 1-15, 28-36 and 43 for prosecution. Claims 16-27, 37-42 and 47-65 have been cancelled in the present response to the restriction requirement without prejudice. Applicants include herewith a copy of the elected claims.

The present paper is submitted as a complete response to the Examiner's action. Should the Examiner have any questions, comments or suggestions, the Examiner is invited to call the undersigned attorney.

Dated: May 22, 2002.

Respectfully submitted,


Paul J. White, Senior Counsel
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